IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.4003 OF 2004

Mr.Saurabh M. Railkar for the Petitioner.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 6TH JULY,2005

P.C.:

This is the case of gross delay and inaction on the part of the Petitioner. The Appellate Court in its order has described the total inaction on the part of the Petitioner in prosecuting his appeal in detail. The Petitioner filed the appeal in 1982, till 1996 even all the Respondents were not duly served. He did not attend the court, because according to him he was not well. According to him his lawyer could not attend the court,

because the wife of the lawyer was ill. But these facts have not been proved.

2. Taking overall view of the matter, therefore, in my opinion, it is clear that the Petitioner was not at all serious in prosecuting the appeal. In my opinion, interest of justice will not be served by continuing such litigation. It is in the interest of justice that such litigation has come to halt. Petition is, therefore, rejected.

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